

§ 520.6

not be more than a small proportion of its working force.

[18 FR 3290, June 10, 1953, as amended at 21 FR 1349, Mar. 1, 1956; 26 FR 8009, Aug. 26, 1961; 35 FR 13884, Sept. 2, 1970]

§ 520.6 Terms and conditions of employment under special student-learner certificates.

(a) The special minimum wage rate shall be not less than 75 percent of the applicable minimum under section 6 of the act.

(b) No special student-learner certificate may be issued retroactively.

(c)(1) The number of hours of employment training each week at subminimum wages pursuant to a certificate, when added to the hours of school instruction, shall not exceed 40 hours, except that authorization may be granted by the Administrator or his authorized representative for a greater number of hours if found to be justified by extraordinary circumstances.

(2) When school is not in session on any school day, the student-learner may work a number of hours in addition to the weekly hours of employment training authorized by the certificate: *Provided, however,* That the total hours worked shall not exceed 8 hours on any such day. A notation shall be made in the employer's records to the effect that school not being in session was the reason additional hours were worked on such day.

(3) During the school term, when school is not in session for the entire week, the student-learner may work at his employment training a number of hours in the week in addition to those authorized by the certificate: *Provided, however,* That the total hours shall not exceed 40 hours in any such week. A notation shall be made in the employer's records to the effect that school not being in session was the reason additional hours were worked in such week.

(d) A special student-learner certificate shall not constitute authorization to pay a subminimum wage rate to a student-learner in any week in which he is employed for a number of hours in addition to the number authorized in the certificate, except as provided in

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paragraphs (c)(1), (2), and (3) of this section.

[35 FR 13884, Sept. 2, 1970]

§ 520.7 Employment records to be kept.

In addition to any other records required under the record-keeping regulations (part 516 of this chapter) the employer shall keep the following records specifically relating to student-learners employed at subminimum wage rates:

(a) Any worker employed as a student-learner shall be identified as such on the payroll records, with each student-learner's occupation and rate of pay being shown;

(b) The employer's copy of the application, filed in accordance with § 520.4(a) and any certificate issued by the Administrator or his authorized representative must be available at all times for inspection for a period of 3 years from the last date of employment of the student-learner.

(c) Notations should be made in the employer's records when additional hours are worked by reason of school not being in session as provided in § 520.6(c) (2) and (3).

[18 FR 3291, June 10, 1953, as amended at 35 FR 13884, Sept. 2, 1970]

§ 520.8 Duration of certificates.

A special student-learner certificate shall be effective for a period not to exceed the length of 1 school year unless a longer period is found to be justified by extraordinary circumstances. No certificate shall authorize employment training beyond the date of graduation.

[35 FR 13885, Sept. 2, 1970]

§ 520.9 Compliance with established standards.

No provision of the regulations contained in this part, or of any certificate or temporary authority thereunder, shall excuse noncompliance with higher standards applicable to student-learners which may be established under any other Federal law, or any State law, municipal ordinance or trade union agreement.

[35 FR 13885, Sept. 2, 1970]